

REMARKS

Claims 1-19 and 19-30 are pending in this application; claims 19-30 have been withdrawn from consideration. Proposed substantive amendments have been made to claims 1 and 9.

Applicants wish to thank Examiner Jeffrey Parkin for courtesies extended during an personal interview conducted November 30, 2006 with Applicant's representatives, including Bud Nelson and Greg Gibbs, and in directly related follow-up telephonic discussions in early 2007 with Greg Gibbs. All claims were discussed generally, with particular discussion of independent claim 1 to promote the clarity of that claim; no exhibits or demonstratives were shown. A general agreement was reached as to the claims and the nature of amendments to be made thereto; the amendments and remarks herein thus reflect the content of these discussions and the suggestions of the Examiner, particularly in the present amendments to the language of pending claim 1.

1. The Objection Under 37 C.F.R. §§ 1.821 – 1.825 Should Be Withdrawn

In view of the Office Action and Notice to Comply as presented to Applicants, Applicants herewith submit as an attachment a Replacement Sheet for Figure 1, wherein the two peptide sequences expressed in the figure have been properly identified as SEQ ID NOS:1 and 2, respectively, and a minor typographical correction to a sequence (to include "GI" amino acids to the carboxy terminus of "SEQ ID NO:1" so to correspond with the proper sequence) has been made. As SEQ ID NOS:1-2 were included with the sequence listing submitted at the original time of filing, current reference to these SEQ ID NOS in Figure 1 does not constitute new matter. Applicants thus believe that with the present amendment the application is properly in compliance with 37 C.F.R. §§ 1.821-1.825.

2. The Rejection Under 35 U.S.C. §112, Second Paragraph ("Definiteness"), Should Be Withdrawn

The Examiner has rejected claim 1-9 for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention, under 35 U.S.C. § 112, second paragraph. As noted above, Applicants have worked with the Examiner to craft clear and unambiguous language for independent claim 1 of the present application, and, as a result, Applicants herewith have submitted amended claim 1 to ensure clarity as to the inventive subject matter and claim scope, such that the metes and bounds of the claim as recited will be readily understood by one of skill in the art.

Appl. No. 10/671,282
Amendment dated March 1, 2007
Reply to Office communication dated October 4, 2006

Explicit support for the claim term that a conjugate has greater antiviral activity as compared to the unconjugated peptide alone may be found throughout the original specification as filed, including, *e.g.*, at page 21, line 32 to page 24, line 30; page 25, line 31 to page 26, line 18; and tables 2, 3, 4, 5 and 6. Support for polymers encompassed by the claim may also be found in the original specification as filed, *e.g.*, at page 8, line 15 to page 10, line 3.

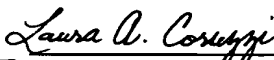
Applicants believe that the present adjustment to independent claim 1 places this claim, along with pending dependent claims 2-9, in proper condition for allowance, and Applicants respectfully ask the Examiner to reconsider and withdraw the rejection under 35 U.S.C. § 112, second paragraph, and Applicants further respectfully ask that the Examiner grant an allowance for all pending claims as currently recited.

CONCLUSION


Applicants respectfully request entry of the amendment and remarks into the file of the application. Should any issue remain, the Examiner is respectfully encouraged to telephone the undersigned to discuss the same. In the event any additional fee is required, beyond that which is included herewith, please charge the required fee to Jones Day Deposit Account No. 50-3013.

Respectfully submitted,

Date: March 1, 2007



Laura A. Coruzzi

by  Reg. No. 51,036
30,742

(Reg. No.)

Jones Day
222 East 41st Street
New York, NY 10017
(212) 326-3939

Attachments (including Replacement Sheet Figure 1)